



## DECLARATION

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ORIGINALLY FILED

As the below-named inventor, I declare that:

My residence, post office address, and citizenship are as stated below under my name.

I believe I am the original, first, and sole inventor of the subject matter claimed and for which a patent is sought on the invention entitled "METHOD AND SYSTEM FOR DATA METERING," the specification of which was filed in the U.S. Patent and Trademark Office on September 25, 2001, and assigned Application No. 09/963,780, (Attorney Docket No. 294518006US1), which application claims the benefit of U.S. Provisional Application No. 60/235,056, filed September 25, 2000.

I have reviewed and understand the contents of the above-identified specification and claims, as amended by any amendment specifically referred to above.

I acknowledge my duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56(a).

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of any patent issuing from this patent application.

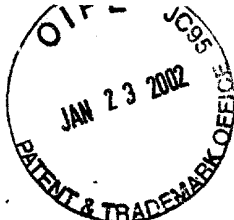
Edward Balassanian

Date 10/11/01

Residence : City of Redmond  
State of Washington

Citizenship : United States of America

P.O. Address : 21520 N.E. 87<sup>th</sup> Place  
Redmond, Washington 98053



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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Edward Balassanian  
Application No. : 09/963,780  
Filed : September 25, 2001  
For : METHOD AND SYSTEM FOR DATA METERING

Docket No. : 294518006US1

Commissioner for Patents  
Washington, DC 20231

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73  
AND POWER OF ATTORNEY

Sir:

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment filed concurrently herewith, a copy of which is enclosed, hereby elects under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

Assignee hereby appoints JERRY A. RIEDINGER, Registration No. 30,582; MAURICE J. PIRIO, Registration No. 33,273; MICHAEL D. BROADDUS, Registration No. 41,637; CATHERINE HONG TRAN, Registration No. 43,960; ROBERT G. WOOLSTON, Registration No. 37,263; PAUL T. PARKER, Registration No. 38,264; JOHN M. WECHKIN, Registration No. 42,216; CHRISTOPHER DALEY-WATSON, Registration No. 34,807; STEVEN D. LAWRENZ, Registration No. 37,376; JAMES A.D. WHITE, Registration No. 43,985; EDWARD S. HOTCHKISS, Registration No. 33,904; JAMES NICKELSON, Registration No. 46,140; STEPHEN E. ARNETT, Registration No. 47,392; BRETON A. BOCCHIERI, Registration No. 31,739; BARBARA B. COURTNEY, Registration No. 42,442; PETER J. DEHLINGER,

Registration No. 28,006, LEE ANN GORTHEY, Registration No. 37,337, RICHARD L. GREGORY, Registration No. 42,607, LINDA R. JUDGE, Registration No. 42,702, MICHAEL MARTENSEN, Registration No. 46,901, JUDY M. MOHR, Registration No. 38,563, MARK A. THOMAS, Registration No. 37,953, and LARRY THROWER, Registration No. 47,994 of Perkins Coie LLP, as the principal attorneys with full power of substitution, association, and revocation to prosecute said application, to transact all business in the Patent and Trademark Office connected therewith, and to receive the letters patent therefor. Please direct all correspondence to Customer Number 25096.

Bar Code:



25096

PATENT TRADEMARK OFFICE

Pursuant to 37 C.F.R. § 3.73, the undersigned duly authorized designee of Assignee certifies that the evidentiary documents have been reviewed, specifically the Assignment to BeComm Corporation filed concurrently herewith for recording, a copy of which is attached hereto, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

BECOMM CORPORATION

October 12, 2001  
Date

Edward Balassanian  
Edward Balassanian  
President

Enclosure:  
Copy of Assignment

## ASSIGNMENT

WHEREAS, I, Edward Balassanian ("ASSIGNOR"), having a post office address of 21520 N.E. 87<sup>th</sup> Place, Redmond, Washington 98053, am the sole inventor of an invention entitled "METHOD AND SYSTEM FOR DATA METERING," as described and claimed in the specification for which an application for United States letters patent was filed on September 25, 2001, and assigned Application No. 09/963,780, which application claims the benefit of U.S. Provisional Application No. 60/235,056, filed September 25, 2000;

WHEREAS, BeComm Corporation ("ASSIGNEE"), a corporation of the State of Washington having a place of business at 4160 - 148<sup>th</sup> Avenue N.E., Redmond, Washington 98052, is desirous of acquiring the entire right, title, and interest in and to the invention and in and to any patents that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNOR hereby sells, assigns, and transfers unto ASSIGNEE, its legal representatives, successors, and assigns, the entire right, title and interest in and to the invention as set forth in the above-mentioned application, including any continuations, continuations-in-part, divisions, reissues, re-examinations, or extensions thereof, any other inventions described in the application, and any and all patents of the United States of America and all foreign countries that may be issued for the invention, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from the United States application to which foreign applications are entitled by virtue of international convention, treaty or otherwise, the invention, application and all patents on the invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNOR had this assignment, transfer, and sale not been made.

UPON THE ABOVE-STATED CONSIDERATIONS, ASSIGNOR agrees to not execute any writing or do any act whatsoever conflicting with this assignment, and at any time upon request, without further or additional consideration but at the expense of ASSIGNEE, execute all instruments and documents and do such additional acts as ASSIGNEE may deem

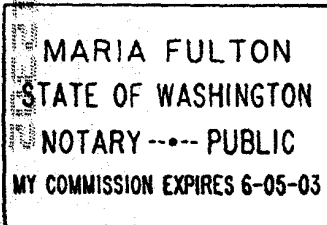
necessary or desirable to perfect ASSIGNEE's enjoyment of this grant, and render all necessary assistance required for the making and prosecution of applications for United States and foreign patents on the invention, for litigation regarding the patents, or for the purpose of protecting title to the invention or patents therefor.

ASSIGNOR authorizes and requests the Commissioner of Patents and Trademarks to issue any Patent of the United States that may be issued for the invention to ASSIGNEE.

Date 10/12/01 SSM  
Edward Balassanian

State of Washington )  
County of King ) ss.

I certify that I know or have satisfactory evidence that Edward Balassanian is the person who appeared before me, and the person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.



Dated October 12, 2001  
Signature of Maria Fulton  
Notary Public  
Printed Name MARIA FULTON  
My appointment expires June 5, 2003